

106th TN General Assembly

First Regular Session



Wednesday, April 29, 2009

SENATE

COMMITTEE REPORTS

FINANCE, WAYS & MEANS - SHR #12 - 1:00 p.m. -

Rec. for pass., ref to Calendar - SB's 206, 192, 1277, 498, 1955, 2254, 1176, 1082, 2234, 1909, 449, 940.

Rec. for pass. If am., ref to Calendar - SB's 104, 605, 2205, 1570, 2288, 2305, 1979.

Rec. for adopt., ref to Calendar - SJR 311.

Rec. for concur. If am., ref to Calendar - HJR 59.

Action def. - SJR 11, SB's 977, 41, 1282, 2169, 2145, 1088, 973.

Taken off notice - SB's 1158, 87.

GENERAL WELFARE, HEALTH & HUMAN RESOURCES - SHR #12 - 10:00 a.m. -

Rec. for pass., ref to Calendar - SB's 1362, 1594, 2280.

Rec. for pass. If am., ref to Calendar - SB's 1114, 705, 772, 2095, 34.

Rec. for pass., ref to FW&M - SB 1965.

Rec. for pass. If am., ref to FW&M - SB 1566.

Action def. - SB's 2275, 2297, 988, 2089, 2071, 2072, 2247, 54, 1284, 1238, 1241, 425, 1729, 638, 1786, 1787, 1788, 2314.

Ref. to Gen. Sub. - SB's 2019, 699, 914, 1226, 703, 540

GOVERNMENT OPERATIONS - SHR #12 - 8:00 a.m. -

Rec. for pass., ref to Calendar - SB's 332, 362, 1031, 1030, 1534.

Rec. for pass. if am., ref to Calendar - SB's 333, 1049, 1023.

Rec. for pass. if am., ref to JUD - SB's 1981, 2114.

Action def. - SB's 1388, 370, 1025, 1377, SJR 306, SB's 2035, 462.

JUDICIARY - SHR #12 - 3:30 p.m. -

Rec. for pass., ref to Calendar - SB's 518, 1992, 310, 651, 1665, 235, 388, 1783, 1910, 1571, 666.

Rec. for pass. If am., ref to Calendar - SB's 314, 97, 578.

Rec. for pass., ref to FW&M - SB's 241, 2150.

Action def. - SB's 1518, 520, 1757, 275, 1419, 679, 1530, 1651, 1666, 19, 1141, 1769, 1776, 1804, 2153, 189, 1283, 70, 197, 1832, 2248, 1830, 2236, 869, 1692, 927, 1094, 1422, 1707, 781, 782, 783, 784, 799, 803, 2109, 1638, 260, 35, 39, 10, 1497.

Ref. to Gen. Sub. - SB's 541, 1591, 1593, 427, 391, 691, 1399, 2177, 1066.

TRANSPORTATION - SHR #12 - 9:00 a.m. -

Rec. for pass. if am., ref to Calendar - SB's 857, 959.

Rec. for pass. if am., ref to FW&M - SB's 289, 2120.

Action def. - SB's 768, 2289, 952.

Ref. to Gen. Sub. - SB's 1068, 1154.

CALENDARS FOR THURSDAY, APRIL 30, 2009

Consent

1. **SJR 0326 by *Crowe**
Memorials, Retirement - Colonel Dennis J. Adams, United States Army -
2. **SJR 0328 by *Burchett**
Memorials, Recognition - Alecia Wilson -
3. **SJR 0329 by *Black**
Memorials, Academic Achievement - Emily A. Dayton, Valedictorian, Hendersonville High School -
4. **SJR 0330 by *Black**
Memorials, Academic Achievement - Samantha Marie Pitts, Salutatorian, Gallatin High School -
5. **SJR 0331 by *Black**
Memorials, Academic Achievement - Lauren Richan Groves, Valedictorian, Gallatin High School
6. **SJR 0332 by *Burks**
Memorials, Recognition - Overton County Agricultural Fair -
7. **SJR 0333 by *Burks**
Memorials, Recognition - 4-H National Champion Skillathon Team -
8. **SJR 0334 by *Burks**
Memorials, Recognition - 4-H State Champion Forestry Judging Team -
9. **SJR 0336 by *Burks**
Memorials, Recognition - Monterey High School Virtual Enterprise class, World Class online catalog, Virtual Enterprise Trade Show -
10. **SJR 0337 by *Beavers**
Memorials, Recognition - Staff Sergeant James Calvin Smith -
11. **SJR 0338 by *Beavers**
Memorials, Recognition - Sergeant Walter K. Singleton, Medal of Honor -
12. **SJR 0339 by *Ford, O.**
Memorials, Death - Bishop W. L. Porter -
13. **SJR 0340 by *Barnes**
Memorials, Academic Achievement - Lauren Bates, Valedictorian, Rossview High School -
14. **SJR 0341 by *Barnes**
Memorials, Academic Achievement - Monique Smyth, Salutatorian, Rossview High School -
15. **SJR 0342 by *Gresham, Kyle**
Memorials, Death - Judge Dewey C. Whitenton -
16. **SJR 0343 by *Black**
Memorials, Professional Achievement - Angie Graves, Teacher of the Year, Westmoreland Middle School -
17. **SJR 0344 by *Beavers**
Memorials, Academic Achievement - Eddie Doss Eatherly, Salutatorian, Friendship Christian School -
18. **SJR 0345 by *Barnes**
Memorials, Academic Achievement - Matt Thompson, Salutatorian, Sycamore High School -
19. **SJR 0346 by *Finney L**
Memorials, Death - Raymond Lynn Ivey -
20. **SJR 0347 by *Finney L**
Memorials, Personal Occasion - Richard and Mary Drewery, 50th anniversary -
21. **SJR 0348 by *Faulk**
Memorials, Retirement - Charles Ladd -
22. **SR 0075 by *Crowe**
Memorials, Interns - Carlissia N. Graham -
23. **SR 0080 by *Yager**
Memorials, Personal Achievement - Joseph F. Huckleby, Eagle Scout -
24. **SR 0081 by *Faulk**
Memorials, Academic Achievement - Andrew "Tobey" Norris, Salutatorian, Clinch High School -

(Consent Calendar cont.)

- 25. SR 0082 by *Faulk**
Memorials, Academic Achievement - Cody Keith Lamb, Valedictorian, Clinch High School -
- 26. SR 0083 by *Faulk**
Memorials, Academic Achievement - Stephen Thompson, Jr., Salutatorian, Washburn High School -
- 27. SR 0084 by *Faulk**
Memorials, Academic Achievement - Travis Jones, Valedictorian, Grainger High School -
- 28. SR 0085 by *Faulk**
Memorials, Academic Achievement - Candace Coffey, Salutatorian, Grainger County High School -
- 29. SR 0086 by *Faulk**
Memorials, Academic Achievement - Adam Inklebarger, Salutatorian, Union County High School
- 30. SR 0087 by *Faulk**
Memorials, Academic Achievement - Samantha Sharp, Salutatorian, Union County High School -
- 31. SR 0088 by *Faulk**
Memorials, Academic Achievement - Joshua Ray Alfrey, Valedictorian, Union County High School -
- 32. SR 0089 by *Faulk**
Memorials, Academic Achievement - Megan Williams, Valedictorian, Union County High School
- 33. SR 0090 by *Faulk**
Memorials, Academic Achievement - Seguin Warwick, Salutatorian, Union County High School -
- 34. SR 0091 by *Faulk**
Memorials, Academic Achievement - Marcia Walker, Salutatorian, Union County High School -
- 35. SR 0092 by *Faulk**
Memorials, Academic Achievement - Mariah Walker, Salutatorian, Union County High School -
- 36. SR 0093 by *Faulk**
Memorials, Academic Achievement - Courtney Brock, Valedictorian, Cumberland Gap High School -
- 37. SR 0094 by *Faulk**
Memorials, Academic Achievement - Tracey Shackelford, Valedictorian, Cumberland Gap High School -
- 38. SR 0095 by *Faulk**
Memorials, Academic Achievement - Amy Patton, Valedictorian, Cumberland Gap High School -
- 39. SR 0096 by *Faulk**
Memorials, Academic Achievement - Samantha Cox, Valedictorian, Cumberland Gap High School -
- 40. SR 0097 by *Faulk**
Memorials, Academic Achievement - Kasey Davis, Valedictorian, Cumberland Gap High School -
- 41. SR 0098 by *Faulk**
Memorials, Academic Achievement - Elizabeth Suzannah Mathews, Salutatorian, Cumberland Gap High School -
- 42. SR 0099 by *Faulk**
Memorials, Academic Achievement - Kayla Majors, Salutatorian, Claiborne High School -
- 43. SR 0100 by *Faulk**
Memorials, Academic Achievement - Leslie Bingham, Valedictorian, Claiborne High School -
- 44. SR 0101 by *Faulk**
Memorials, Academic Achievement - Vernon Joshua Taylor, Valedictorian, Claiborne High School -
- 45. SR 0102 by *Faulk**
Memorials, Academic Achievement - Mark Bolles, Valedictorian, Claiborne High School -
- 46. SR 0103 by *Faulk**
Memorials, Academic Achievement - Jenna Wertz, Valedictorian, Claiborne High School -
- 47. SR 0104 by *Faulk**
Memorials, Academic Achievement - Justin Wade Widner, Valedictorian, Claiborne High School

(Consent Calendar cont.)

- 48. SR 0105 by *Faulk**
Memorials, Academic Achievement - Weston Allan Gantte, High Honor Student, Jefferson County High School -
- 49. SR 0106 by *Faulk**
Memorials, Academic Achievement - William Ross Brummett, Jefferson County High School -
- 50. SR 0107 by *Faulk**
Memorials, Academic Achievement - Elizabeth Rhea, Salutatorian, Hancock County Middle/High School -
- 51. SR 0108 by *Faulk**
Memorials, Academic Achievement - Cassandra Bunch, Valedictorian, Hancock County Middle/High School -
- 52. HJR 0368 by *Shepard**
Memorials, Recognition - Taylor Funeral Home, 100th anniversary -
- 53. HJR 0370 by *Bone, Lynn**
Memorials, Academic Achievement - Lee Nutter, Salutatorian, Lebanon High School -
- 54. HJR 0371 by *Bone, Lynn**
Memorials, Academic Achievement - Samantha McElfresh, Salutatorian, Lebanon High School -
- 55. HJR 0372 by *Bone, Lynn**
Memorials, Academic Achievement - April Michelle Wade, Valedictorian, Lebanon High School -
- 56. HJR 0374 by *Shipley, Mumpower, Lundberg**
Memorials, Death - Jane Sarnoff -
- 57. HJR 0375 by *Watson**
Memorials, Recognition - Tennessee Harmony, 2008 Quartet of the Year -
- 58. HJR 0376 by *Yokley, Armstrong, Barker, Bass, Bell, Bone, Borchert, Brooks K**
Memorials, Professional Achievement - Dr. Kurt Steele, 2008 Optometric Doctor of the Year -
- 59. HJR 0377 by *McDonald, Maggart, Lynn**
Memorials, Recognition - Benny Bills -
- 60. HJR 0378 by *Coley, Lollar**
Memorials, Academic Achievement - Cody Fernandez, Salutatorian, Bolton High School -
- 61. HJR 0380 by *Floyd, Favors, McCormick, Dean, Cobb J, Brown, Armstrong, Barker**
Memorials, Recognition - Signal Mountain, 90th anniversary -

Regular

- 1. SB 0383 by *Barnes (*HB 0411 by *Pitts, Bass, Coleman, Hardaway, Cobb J, Lollar, Johnson C, Dunn, Watson, Dean, Niceley, Roach, Ford, Fincher, Weaver, Litz)**
Firearms and Ammunition - As introduced, creates Class A misdemeanor offense of attempting to buy firearm when prohibited by law from possessing firearm and attempting or selling firearm to person known to be prohibited by law from possessing firearm. - Amends TCA Title 39, Chapter 17, Part 13.
- 2. SB 0474 by *Berke, Crowe (*HB 0070 by *Fincher, Evans)**
Criminal Procedure - As introduced, deletes subsection in self-defense law providing that a person not justified in use of deadly force to prevent or terminate trespass on real property or unlawful interference with personal property. - Amends TCA Title 39, Chapter 11, Part 6.
- 3. *SB 0686 by *Woodson, Ketron (HB 0963 by *McCord)**
Tennessee Wildlife Resources Agency - As introduced, requires executive director of agency to submit report to commission and governor by September 30 of each year; extends effective date of regulations for cooperative agreements with federal agencies from 30 to 45 days after publication. - Amends TCA Title 70.
- 4. *SB 0812 by *Overbey (HB 1278 by *Stewart)**
Consumer Protection - As introduced, enacts the "Uniform Debt Management Services Act." - Amends TCA Title 47.
- 5. *SB 0851 by *Black, Johnson, Woodson (HB 1114 by *Shepard, Evans)**
TennCare - As introduced, requires that home health care services be provided in the recipient's home and for service delivery purposes follows the recipient into the community. - Amends TCA Title 71, Chapter 5.

(Regular Calendar cont.)

6. *SB 0861 by *Black (HB 1144 by *Brooks H)

Fees - As introduced, increases amount official may charge for collection and recording of business tax from \$5.00 to \$7.00; requires the additional \$2.00 to be earmarked for computer related expenses including computer hardware purchases. - Amends TCA Title 67, Chapter 4.

7. SB 0913 by *Burks (*HB 0218 by *Fincher, Hardaway, Hackworth, Dean)

Criminal Offenses - As introduced, requires certain actions by buyers and dealers of scrap jewelry and metal and makes a violation of such requirements a Class A misdemeanor. - Amends TCA Title 38, Chapter 1, Part 2.

8. SB 0946 by *Tracy (*HB 0215 by *Harmon)

Criminal Procedure - As introduced, grants trial judge the option to resentence a defendant whose probation has been revoked to a sentence of community correction as well as ordering the original sentence reinstated and the incarceration of the defendant. - Amends TCA Title 40, Chapter 35.

9. SB 1092 by *Stanley, Black (*HB 0950 by *Lynn)

Hotels and Restaurants - As introduced, prohibits the commissioner of health, and any county or metropolitan board of health or political subdivision, from enacting an ordinance or issuing any rule or regulation pertaining to the provision of food nutritional information at food service establishments. - Amends TCA Section 68-14-303.

10. SB 1309 by *Tracy, Norris (*HB 1311 by *Harmon, Harwell, Hardaway, Maggart, Lollar, Campfield, Lynn, Swafford, Sargent, Weaver, Todd, Hensley, Eldridge, Brooks K, Ferguson, Moore, Dean, Rich, Johnson C, Niceley, Bell, Haynes, McManus, Faulkner)

Transportation, Dept. of - As introduced, removes department of finance and administration's authority to transfer funds from the highway fund. - Amends TCA Section 4-3-1016 and Title 54, Chapter 2, Part 1.

11. SB 1415 by *Ketron (*HB 1250 by *Curtiss)

Air Pollution - As introduced, extends the period of time within which a hearing must be held by the air pollution control board from 60 days to 75 days on a petition from a political subdivision desiring to be exempted from air pollution control regulations and the recommendation of the technical secretary is against granting the petition. - Amends TCA Section 68-201-115.

12. *SB 1552 by *Burchett (HB 1895 by *Haynes)

Physicians and Surgeons - As introduced, requires a physician who agrees to serve as an "on call" physician to arrive within one hour of being called. - Amends TCA Title 63.

13. *SB 1567 by *Norris (HB 1471 by *Casada)

Workers Compensation - As introduced, requires the AOC to consult with the joint legislative workers' compensation committee when developing education programs related to workers' compensation for the annual meeting. - Amends TCA Title 50 and Title 56.

14. *SB 1627 by *Beavers (HB 1589 by *Curtiss)

Insurance Companies, Agents, Brokers, Policies - As introduced, clarifies that any insurer must honor any assignment of benefits made by the insured to any health care provider covered under title 63. - Amends TCA Title 56, Chapter 7, Part 1.

15. *SB 2006 by *Black (HB 1828 by *Hensley)

TennCare - As introduced, extends termination date for select oversight committee on TennCare to June 30, 2014. - Amends TCA Section 3-15-509.

16. SB 2296 by *Kyle, Marrero B (*HB 2254 by *Yokley, Turner M)

Abuse - As introduced, revises certain reporting and investigatory requirements concerning abused adults. - Amends TCA Title 71, Chapter 6, Part 1.

17. SB 2316 by *Kyle, Henry (*HB 2265 by *Jones S, Turner M)

Elderly Persons - As introduced, requires background checks on certain potential employees of the departments of human services and children's services; expands scope of certain background checks for certain persons in contact with children and elderly people; revises other various provisions regarding vulnerable persons. - Amends TCA Title 71, Chapter 2, Part 4 and Title 71, Chapter 3, Part 5.

18. *HB 2300 by *Turner M, McCord, Hawk, Ferguson, Litz, Lollar, Fraley, Niceley, Borchert (SB 2321 by *Kyle, Southerland, Black, Ketron, Overbey, Faulk, Tracy, Yager, Watson)

Water Pollution - As introduced, removes the reference to "panel" in the provisions whereby the commissioner of environment and conservation is charged with being the administrative agent for the water quality control board and panel to carry out the Water Quality Control Act. - Amends TCA Title 69, Chapter 3, Part 1.

19. *SB 0066 by *Bunch, Gresham (HB 0516 by *Matheny)

Criminal Offenses - As introduced, creates theft offense of making false statement or concealment of material fact for purpose of obtaining accommodation in housing project of a housing authority or for paying less rent than required for such dwelling. - Amends TCA Title 39, Chapter 11, Part 1 and Title 39, Chapter 14, Part 1.

20. SB 0433 by *Bunch, Gresham, Johnson, Beavers, Ketron, Woodson (*HB 0431 by *Bell, Weaver, Evans)

Schools, Home - As introduced, requires that diplomas issued by home schools be recognized by all state and local governmental entities as having the same rights and privileges of diplomas issued by public school systems. - Amends TCA Title 1, Chapter 3.

21. SB 0476 by *Berke, Marrero B (*HB 0069 by *Fincher, Hardaway)

Witnesses - As introduced, prohibits a party in a divorce proceeding from testifying against the party's incapacitated or mentally incompetent spouse. - Amends TCA Title 24, Chapter 1.

22. SB 1502 by *Burchett (*HB 1202 by *McCord)

Traffic Safety - As introduced, prohibits entering into or modifying existing contracts for installation of surveillance cameras if revenues from traffic fines are shared with company; and extends traffic signals' yellow light at intersections with surveillance cameras to five seconds. - Amends TCA Title 6; Title 7 and Title 55.

23. *SB 1543 by *Burchett, Ketron (HB 1813 by *Odom, Harwell)

Taxes, Real Property - As introduced, authorizes all political subdivisions of the state and any other state or local governmental entities that are authorized to assess taxes on real property to sell their tax receivables. - Amends TCA Section 67-5-201

Message

1. SB 0268 by *Tracy, Ketron, Ford, O. (*HB 0336 by *Carr, Coleman)

Highway Signs - As introduced, "Thomas Hutchinson Bridge," U.S. Highway 231 in Rutherford County. -

2. *SB 0335 by *Johnson, Ford, O. (HB 0996 by *Lynn, Kernell, Cobb J)

Sunset Laws - As introduced, extends board of social work licensure, June 30, 2016. - Amends TCA Title 4, Chapter 29 and Title 63, Chapter 23.

3. SB 0393 by *Tracy, Ketron, Ford, O. (*HB 0107 by *Lundberg, Shipley, Harrison, Rich, Hensley, Cobb J, Armstrong, Harwell, Turner M, McDaniel, Faulkner, Cobb T, Fraley, Brooks K, Roach, Ford, Hardaway, Todd, Bone, Shaw, Eldridge, Sontany, Towns, Coleman, Brown)

Motor Vehicles - As introduced, prohibits sending or reading text messages while operating a motor vehicle. - Amends TCA Title 55.

4. *SB 0536 by *Ketron (HB 0602 by *Tidwell, Cobb T)

Highway Signs - As introduced, designates bridge on United States Highway 412 in Maury County the "Jack and Florence Cecil Memorial Bridge." -

5. *SB 1559 by *Burchett, Yager, Marrero B, Berke, Herron, Burks, Woodson (HB 1628 by *McCord, Ferguson)

Solid Waste Disposal - As introduced, requires the Solid Waste Disposal Control Board to promulgate revised rules relating to the disposal and recycling of coal ash. - Amends TCA Title 68, Chapter 211

SENATE CONVENES AT 9:00 A.M., THURSDAY, APRIL 30, 2009

HOUSE

COMMITTEE REPORTS

CHILDREN & FAMILY AFFAIRS – HHR #16 – 8:30 a.m. –

Rec. for pass., ref to Calendar – HB 1997.

Rec. for pass. if am., ref to FW&M – HB 1629.

Action def. – HB's 677, 637, 33, 686, 327, 332, 1298, 1301, 1383.

EDUCATION – HHR #16 – 11:00 a.m. –

Rec. for pass., ref to C&R - HB 431.

Rec. for pass., ref to FW&M - HB 2194.

Action def. - HB's 1823, 1825, 986, 1104, 1647, 881, 2028, 1860.

GOVERNMENT OPERATIONS – HHR #29 – 10:00 a.m. –

Rec. for pass., ref to C&R - HB's 988, 1100, 1044, 1437, 1303.

Rec. for pass. If am., ref to C&R - HB's 581, 993, 1001, 1005, 1031, 1035, 1051, 1052, 1058, 1064, 1066, 1068, 1069, 1047, 1091.

Rec. for pass., ref to FW&M - HB's 1448, 474, 364, 2308, 1410, 1911, 1155, 1263, 1278.

Action def. - HB's 1204, 1512, 1815, 997, 1043, 1125, 2141, 230.

JUDICIARY – HHR #31 – 8:30 a.m. –

Rec. for pass., ref to C&R – HB's 522, 527, 1814.

Rec. for pass. if am., ref to C&R – HB's 1832, 1541, 1260, 484, 1201.

Rec. for pass., ref to FW&M – HB's 241, 13.

Rec. for pass. if am., ref to FW&M – HB's 525, 526, 2376.

Action def. – HB's 325, 607, 606, 611, 62, 2193, 666, 1212, 403, 591, 1547, 590, 386, 1257, 1258, 619, 736, 1614, 932, 1429, 335, 1120, 1277, 1545, 435, 2099, 1407, 1354, 714, 969, 925, 1267, 391, 1736, 724, 1837, 2325, HJR 75, HB's 1210, 589, 1446, 1449, 1450, 1440, 597, 1454, 2234.

Taken off notice – HB 1262.

SUBCOMMITTEE REPORTS

BUDGET – HHR #29 – 11:00 a.m. –

Rec. for pass. - HB's 616, 1053, 530, 2136, 1605, 1822, 631, 633, 2312, 980, 1840, 1225, 1442, 730, 731, 2177, 375.

Rec. for pass. If am. - HB's 669, 2134.

Rec. for concur. - SJR 127.

Action def. - HB's 614, 1543, 609, HJR 149, HB's 348, 2389, 1501, 210, 212, 1824, 687, 1947, 1909, 1972, 50, 92, 113, 351.

Taken off notice - HB's 523, 248, 879

Behind the Budget - HB's 2157, 1261, 448, 839, 835, 2008, 2024

CRIMINAL PRACTICE & PROCEDURE – HHR #31 – 12:00 noon –

Rec. for pass. - HB's 1302, 919, 1430, 1786, 1785, 1796, 1153, 887.

Rec. for pass. If am. - HB's 238, 1348, 1209, 27, 2249, 583, 1781.

Action def. - HB's 1304, 1880, 672, 1293, 1700, 1701, 476, 477, 548, 1129, 1130, 1374, 1474, 1793, 1801, 1805, 1806, 1807, 1808, 1809.

Taken off notice - HB's 328, 572, 32, 1748, 1783, 1792, 1794, 1938.

ELECTIONS – HHR #31 – 10:30 a.m. –

Action def. - HB 2046.

HEALTH CARE FACILITIES – HHR #30 – 12:30 p.m. –

Rec. for pass. - HB's 1126, 1646, 2282.

Rec. for pass. If am. - HB's 950, 1674, 2265.

Taken off notice - HB's 25, 558, 632, 807, 817, 1295, 1532, 1585, 1737.

INDUSTRIAL IMPACT – HHR #30 – 10:00 a.m. –

Rec. for pass. – HB's 867, 1110.

Rec. for pass. if am. – HB's 378, 2304.

Action def. – HB's 128, 843, 1359, 1461, 2201, 1249, 1907.

(Subcommittee Reports cont.)

K-12 – HHR #16 – 10:00 a.m. –

Rec. for pass. - HB's 1648, 1560, 1643, 777, 1866, 1867.

Rec. for pass. If am. - HB 1531.

Action def. - HB's 795, 2146, 2142, 2061, 2148, 2087, 1507, 15, 952, 549, 552, 553, 1425, 1509, 2164, 1364, 2026, 1508, 599, 811, 816, 1739, 947, 1371.

Taken off notice - HB's 1854, 1682, 915, 785, 1171, 1380, 1506, 2267, 2283, 2281, 1345, 2373, 767.

LOCAL GOVERNMENT – HHR #29 – 9:15 a.m. –

Rec. for pass. – HB's 1144, 1957, 2380.

Rec. for pass. if am. – HB's 1190, 2058.

Action def. – HB's 2175, 1458, 1813, 1352, 2166, 1196, 1740, 1976, 1542, 1702, 2095, 37, 1139, 1928, 1705, 1577, 1779, 1587, 938, 1933, 96, 1633, 2360.

STATE GOVERNMENT – HHR #29 – 8:30 a.m.-

Rec. for pass. - HB 610.

Rec. for pass. if am. – HB 2318.

Rec. for adopt. – HJR 292.

Rec. for adopt. if am. – HJR 191.

Rec. for concur – SJR's 263, 264.

Action def. – HB's 23, 592, 1578, 1662, 1692, 2093, 2101, 1414, 2147, 129, 825, 2349.

Taken off notice – HB's 88, 1254, 1670, 1858.

CALENDARS FOR THURSDAY, APRIL 30, 2009

Consent

1. HR 0072 by *Cobb T

Memorials, Academic Achievement - Julie Diane Andrews, Valedictorian, Culleoka Unit School - The Abstract summarizes HR0072 as introduced.

2. HR 0073 by *Cobb T

Memorials, Academic Achievement - Chelsea Rae Whitacre, Salutatorian, Culleoka Unit School - The Abstract summarizes HR0073 as introduced.

3. HR 0074 by *Cobb T

Memorials, Academic Achievement - Stephanie Anne Walsh, Valedictorian, Mt. Pleasant High School - The Abstract summarizes HR0074 as introduced.

4. HR 0075 by *Cobb T

Memorials, Academic Achievement - Courtney Lynn Hunter, Salutatorian, Mount Pleasant High School - The Abstract summarizes HR0075 as introduced.

5. HR 0076 by *Cobb T

Memorials, Academic Achievement - Rebecca Ruth Rogers, Valedictorian, Columbia Academy - The Abstract summarizes HR0076 as introduced.

6. HR 0077 by *Cobb T

Memorials, Academic Achievement - Analisa Elena Podgorski, Salutatorian, Columbia Academy - The Abstract summarizes HR0077 as introduced.

7. HR 0078 by *Cobb T

Memorials, Academic Achievement - Kayla Witherow, Salutatorian, Columbia Central High School - The Abstract summarizes HR0078 as introduced.

8. HR 0079 by *Cobb T

Memorials, Academic Achievement - Mallory Griffin Brown, Valedictorian, Columbia Central High School - The Abstract summarizes HR0079 as introduced.

9. HR 0080 by *Cobb T

Memorials, Academic Achievement - Meghan Elizabeth LaFavor, Valedictorian, Spring Hill High School - The Abstract summarizes HR0080 as introduced.

10. HR 0081 by *Cobb T

Memorials, Academic Achievement - Breanna Kelsey Thurman, Salutatorian, Spring Hill High School - The Abstract summarizes HR0081 as introduced.

(Consent Calendar cont.)

11. HJR 0398 by *Watson

Memorials, Recognition - Recognizing the individuals involved in the Kathleen Wrinkly case. -
The Abstract summarizes HJR0398 as introduced.

12. HJR 0399 by *Shepard

Memorials, Academic Achievement - Cofie Tyler Toy, Valedictorian, East Hickman High School
- The Abstract summarizes HJR0399 as introduced.

13. HJR 0400 by *Shepard

Memorials, Academic Achievement - Erica Leigh Winfrey, Salutatorian, East Hickman High
School - The Abstract summarizes HJR0400 as introduced.

14. HJR 0401 by *Cobb T

Memorials, Retirement - Janet Earwood - The Abstract summarizes HJR0401 as introduced.

15. HJR 0403 by *Harrison

Memorials, Retirement - Melville Bailey - The Abstract summarizes HJR0403 as introduced.

16. HJR 0404 by *Hensley

Memorials, Professional Achievement - Mike Gladney, 2008 Dispatcher of the Year - The
Abstract summarizes HJR0404 as introduced.

17. HJR 0405 by *Hensley

Memorials, Personal Achievement - Atticus Wright, Governor of American Legion Boys' State -
The Abstract summarizes HJR0405 as introduced.

18. HJR 0406 by *Turner M

Memorials, Recognition - Turner Williams - The Abstract summarizes HJR0406 as introduced.

19. HJR 0407 by *Turner M

Memorials, Recognition - Jim Tucker - The Abstract summarizes HJR0407 as introduced.

20. SJR 0318 by *Black

Memorials, Academic Achievement - Brandon Glenn Hochstetler, Valedictorian, Hendersonville
Christian Academy - The Abstract summarizes SJR0318 as introduced.

21. SJR 0319 by *Black

Memorials, Academic Achievement - Shelton Daniel Campbell, Salutatorian, Hendersonville
Christian Academy - The Abstract summarizes SJR0319 as introduced.

22. SJR 0320 by *Black

Memorials, Academic Achievement - Jillian Gentry, Salutatorian, Hendersonville High School -
The Abstract summarizes SJR0320 as introduced.

23. SJR 0321 by *, Finney L

Memorials, Death - Janis Marie Keast - The Abstract summarizes SJR0321 as introduced.

24. SJR 0322 by *Faulk

Memorials, Heroism - Mackenzie Laster - The Abstract summarizes SJR0322 as introduced.

25. SJR 0323 by *Gresham

Memorials, Death - Reverend Bill Torkell - The Abstract summarizes SJR0323 as introduced.

26. SJR 0349 by *Beavers

Memorials, Academic Achievement - Krishna Patel, Valedictorian, Wilson Central High School -
The Abstract summarizes SJR0349 as introduced.

27. SJR 0350 by *Beavers

Memorials, Academic Achievement - James Elliott Denney, Valedictorian, Friendship Christian
School - The Abstract summarizes SJR0350 as introduced.

28. SJR 0351 by *Beavers

Memorials, Academic Achievement - Rebekah Kathryn Patton, Salutatorian, Wilson Central High
School
- The Abstract summarizes SJR0351 as introduced.

1st on Calendar

1. *HB 0962 by *Todd, McCord, Tindell, Evans, Fincher, Watson, Faulkner, Eldridge, Rowland, McCormick, Bass, Hackworth, Cobb C, Carr, Matheny, Mumpower, Floyd, Bell, Lollar, Casada, Rich, Lynn, Harrison, Shipley, Dean, Johnson C, Johnson P, Niceley, Tidwell, Shepard, Hill, Ramsey, Halford, Haynes, Swafford, Maggart, Hensley, West, Montgomery, Dennis, Brooks H, Matlock, Dunn, Hawk, Lundberg, Weaver, Roach, Ford, Moore, Fraley (SB 1127 by *Jackson, Norris, Gresham)

Firearms and Ammunition - As introduced, allows person with handgun carry permit to carry in restaurants that serve alcoholic beverages as long as such person is not consuming alcoholic beverages and such restaurant is not an age-restricted venue. - Amends TCA Title 39, Chapter 17.

Regular

1. *SB 0185 by *Jackson, Marrero B (HB 0341 by *Hensley)

Solid Waste Disposal - As introduced, prohibits a permit from being issued for a solid waste disposal facility within five miles of Swan Creek, which is located in Lewis County, in order to protect the great biodiversity of the Swan Creek Watershed the same being the home of a number of rare invertebrates and plants. - Amends TCA Title 68, Chapter 211.

2. *HB 0237 by *DeBerry J (SB 0039 by *Marrero B)

Domestic Relations - As introduced, removes the requirement that in a divorce if a guardian ad litem has been appointed by the court, the guardian ad litem must agree to the parenting plan before the court can approve the parenting plan. - Amends TCA Title 36, Chapter 4 and Title 36, Chapter 6. - The Abstract summarizes HB0237 as introduced.

3. *HB 1105 by *DeBerry J (SB 1769 by *Herron)

Courts, Juvenile - As introduced, establishes that a parent is entitled to legal representation at all stages of proceedings involving abuse, dependency or neglect and termination of parental rights. - Amends TCA Section 37-1-126.

4. HB 1720 by *Carr, Tidwell (*SB 1955 by *Ketron)

Alcoholic Beverages - As introduced, provides that manufacturing of intoxicating liquors is allowed in counties that have approved retail package sales and liquor-by-the-drink sales through voter referendum; requires manufacturer to obtain appropriate licenses. - Amends TCA Section 57-2-103.

5. HB 1580 by *Harrison (*SB 1947 by *Faulk)

Alcoholic Beverages - As introduced, specifies that retailers are prohibited from selling intoxicating liquors to persons who are "visibly intoxicated" or accompanying a "visibly intoxicated" person rather than someone who is "drunk" or accompanying a "drunk" person. - Amends TCA Section 57-3-406 and Section 57-5-301.

6. HB 1306 by *Cobb T, Ferguson, Bass, Turner M, Fitzhugh, Naifeh, Curtiss, Richardson, DeBerry J, Bone, Tidwell, Borchert, Cooper B, Coley, Hardaway (*SB 1084 by *Finney L, Berke, Overbey, Burks, Stewart, Crowe, Marrero B, Woodson)

Board of Regents - As introduced, requires the board of regents to study feasibility of cooperative career and technical programs between LEAs and Tennessee technology centers or other two-year institutions offering career and technical education. - Amends TCA Title 49. - The Abstract summarizes HB1306 as introduced.

7. *HB 2329 by *Cobb T, Turner M (SB 2241 by *Kyle, Tate)

Codes - As introduced, authorizes the state fire marshal to implement a convenience fee to cover the costs of receiving construction plans, specifications, and related fees that are electronically submitted pursuant to the laws governing building regulations. - Amends TCA Section 68-120-101. - The Abstract summarizes HB2329 as introduced.

8. HB 1026 by *Lynn, Kernell, Cobb J (*SB 0341 by *Johnson)

Sunset Laws - As introduced, extends department of revenue, June 30, 2014. - Amends TCA Title 4, Chapter 29 and Title 4, Chapter 3. - The Abstract summarizes HB1026 as introduced.

9. HB 2395 by *Dennis (SB 2361 by *Gresham)

Savannah - As introduced, subject to local approval, sets the city election to coincide with the general state election beginning in November 2012; extends time by which the city may contract with the city manager, from one to three years. - Amends Chapter 683 of the Private Acts of 1951; as amended. - The Abstract summarizes HB2395 as introduced.

(Regular Calendar cont.)

10. HB 1847 by *Miller L, Turner M, Hardaway (*SB 1830 by *Kyle)

Economic and Community Development - As introduced, revises the Neighborhood Preservation Act. - Amends TCA Title 13, Chapter 6.

11. *HB 0806 by *Campfield, Hardaway (SB 1253 by *Bunch)

Child Custody and Support - As introduced, authorizes court costs and attorney's fees, along with previously made child support payments, be awarded to a man who is determined not to be the father of such child. - Amends TCA Title 36, Chapter 2, Part 3.

12. HB 2111 by *Borchert (*SB 1793 by *Herron, Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney L, Ford, O., Gresham, Harper, Haynes, Henry, Jackson, Johnson, Ketron, Kyle, Marrero B, McNally, Norris, Overbey, Ramsey, Southerland, Stanley, Stewart, Tate, Tracy, Watson, Woodson, Yager)

Parks, Natural Areas Preservation - As introduced, requires the commissioner of the department of environment and conservation to offer discounted rates to veterans for activities at Tennessee state parks and defines the term "veteran." - Amends TCA Title 11, Chapter 3.

13. HB 1558 by *Dean (*SB 1917 by *Berke)

Purchasing - As introduced, authorizes the purchase of secondhand items by local governments as long as the general range of value of the item is documented through a listing in a recognized publication or through an appraisal and the price is no more than 10 percent of the documented range. - Amends TCA Section 12-3-1003. - The Abstract summarizes HB1558 as introduced.

14. *HB 0352 by *Hackworth, Evans, Ford (SB 0529 by *McNally)

Pensions and Retirement Benefits - As introduced, authorizes retired members of TCRS to work for a city or county government without their retirement benefits being suspended or lost; provides that retirement benefits are not increased by employment in a local government entity. - Amends TCA Title 8, Chapter 36, Part 8. - The Abstract summarizes HB0352 as introduced.

15. HB 1679 by *Maddox (*SB 1714 by *Overbey, Marrero B, Finney L, Burks)

Children - As introduced, expands the facilities where infants can be voluntarily delivered to include law enforcement, fire, and emergency medical services facilities. - Amends TCA Section 68-11-255.

16. *HB 0720 by *Niceley (SB 1114 by *Faulk)

Milk, Dairy Products - As introduced, authorizes an individual who owns a cow or goat to sell raw milk produced by such animal to a person who has a prescription from a physician prescribing the consumption of raw milk for such person; requires the person selling the milk to keep the prescription and make it available for inspection by the department of agriculture if the prescription is for an extended period of time. - Amends TCA Title 44, Chapter 19 and Title 53. - The Abstract summarizes HB0720 as introduced.

17. *HB 0408 by *Pitts (SB 1073 by *Barnes)

Education, Higher - As introduced, allows a course in American government to be substituted for one of the two courses in American history required for a baccalaureate degree from a public institution of higher education. - Amends TCA Section 49-7-110.

18. HB 1409 by *Tindell (*SB 1327 by *Yager, Burks, Black)

Tort Liability and Reform - As introduced, adds community action agencies and certain nonprofit corporations to definition of governmental entity for purposes of governmental tort liability. - Amends TCA Title 29, Chapter 20, Part 1.

19. HB 1676 by *Tindell (*SB 1504 by *Burchett)

Tobacco Master Settlement Agreement - As introduced, imposes penalty for failure of a tobacco distributor or manufacturer to provide certain information to commissioner of revenue. - Amends TCA Section 67-4-2604.

20. *HB 2254 by *Yokley, Turner M (SB 2296 by *Kyle, Marrero B)

Abuse - As introduced, revises certain reporting and investigatory requirements concerning abused adults. - Amends TCA Title 71, Chapter 6, Part 1.

(Regular Calendar cont.)

21. HB 1549 by *Casada, Shepard, McDaniel, Bone, Shipley, McCord, Sargent, Eldridge, Johnson P, Lollar, Carr, Maggart, Weaver, Hensley, Fincher, Winningham, Tidwell, Bass, Matheny, Montgomery, Johnson C, Watson, Litz, Turner M (*SB 0944 by *Overbey, Ketron, Faulk, Yager, Stanley)

Wine, Wineries - As introduced, revises "Grape and Wine Law" based on a Sixth Circuit U.S. Court of Appeals decision including allowing out-of-state wineries to be licensed. - Amends TCA Title 57, Chapter 3, Part 2.

22. *HB 0225 by *Casada, Cobb T (SB 0298 by *Johnson)

Planning, Public - As introduced, modifies certain public notice requirements pertaining to regional planning and municipal planning. - Amends TCA Section 13-3-303; Section 13-3-304 and Section 13-4-202.

23. *HB 0253 by *Casada (SB 0289 by *Beavers)

Criminal Offenses - As introduced, adds certain violations of rules of road to present violations resulting in accident that are penalized as Class A misdemeanors when involving death or as Class B misdemeanors when involving serious bodily injury. - Amends TCA Title 55, Chapter 8.

24. *HB 1286 by *Casada (SB 1393 by *Johnson)

Charitable Solicitations - As introduced, excludes nursing homes from the charitable solicitation statute. - Amends TCA Title 48. - The Abstract summarizes HB1286 as introduced.

25. HB 1457 by *Coleman (*SB 1707 by *Overbey)

Remedies and Special Proceedings - As introduced, prohibits certain persons restrained of their liberty from prosecuting a writ of habeas corpus. - Amends TCA Section 29-21-101.

26. *HB 2330 by *Harmon, Turner M (SB 2288 by *Kyle, Finney L)

Motor Vehicles - As introduced, requires department of safety to maintain records concerning convictions, disqualifications, and other licensing actions involving persons who hold a commercial driver license; requires the department to issue driver licenses and photo identifications that comply with the federal REAL ID Act; revises several other provisions regarding motor vehicles and motor carriers. - Amends TCA Title 5.

28. HB 1876 by *Matheny (*SB 1623 by *Beavers, Ford, O.)

Consumer Protection - As introduced, excludes prepaid cards that are usable with multiple, unaffiliated sellers of goods or services and/or ATM machines from the gift certificate statute. - Amends TCA Title 47, Chapter 18, Part 1.

29. HB 2042 by *McCord (SB 2065 by *Overbey)

Blount County - As introduced, subject to local approval, increases the hotel motel tax from 4 percent to 5 percent; redistributes the proceeds. - Amends Chapter 102 of the Private Acts of 1979; as amended. - The Abstract summarizes HB2042 as introduced.

30. *HB 2248 by *Turner M, McCord (SB 2294 by *Kyle, Burks, Marrero B)

Mining and Quarrying - As introduced, revises provisions regarding required bond under the Tennessee Mineral Surface Mining Law of 1972; includes in the definition of "mineral" under the Act certain minerals on land on which any unit of state government owns the surface interests. - Amends TCA Title 59, Chapter 8, Part 2.

31. HB 2190 by *Turner L, Jones U, DeBerry L (*SB 1971 by *Norris, Ford, O.)

Unemployment Compensation - As introduced, provides that non-resident parties secure judicial review of board of review decisions by filing in the chancery court of the county where the employer is located unless it is a tax case in which case filing would be in Davidson County. - Amends TCA Title 50, Chapter 7. - The Abstract summarizes HB2190 as introduced.

Message

1. HB 2218 by *Gilmore, Hardaway (*SB 1763 by *Herron, Marrero B, Harper, Barnes, Burks)

Consumer Protection - As introduced, makes it an unfair or deceptive act under the Consumer Protection Act to engage in foreclosure-related rescue consultant services for a fee under certain circumstances. - Amends TCA Title 45 and Title 47.

HOUSE CONVENES AT 9:00 A.M., THURSDAY, APRIL 30, 2009